

P. Woodruff

Historian's Office Library

The Chu Res/Rare
of BOOK AREA

345.12

U89L

1853

98641

HISTORIAN'S OFFICE.
*Church of Jesus Christ
of Latter-day Saints*

ACTS AND RESOLUTIONS

PASSED AT THE

THIRD ANNUAL SESSION

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH:

BEGUN AND HELD ON THE SECOND MONDAY OF DECEMBER,
A. D. 1853, AT GREAT SALT LAKE CITY,

TERRITORY OF UTAH.

Published by authority of the Legislative Assembly.

GREAT SALT LAKE CITY.

ARIEH C. BROWER, PRINTER.

1854.

Digitized by the Internet Archive
in 2010 with funding from

Corporation of the Presiding Bishop, The Church of Jesus Christ of Latter-day Saints

Third

THE ~~second~~ session of the Legislative Assembly of the Territory of Utah, was held at Great Salt Lake City, commencing on the second Monday of December, A. D. 1853, and adjourning on the 20th day of January, A. D. 1854.

MEMBERS OF THE LEGISLATIVE ASSEMBLY.

COUNCIL.

WILLARD RICHARDS, President, JEDEDIAH M. GRANT, Speaker,
HEBER C. KIMBALL,
DANIEL H. WELLS,
PARLEY P. PRATT,
JOHN TAYLOR.

WM. W. PHELPS,
F. D. RICHARDS,
WILFORD WOODRUFF,
LORENZO SNOW,
ERASUS SNOW,
ALBERT CARRINGTON,
ALBERT P. ROCKWOOD,
J. W. CUMMINGS,
JOHN L. SMITH,
J. C. WRIGHT,
WILLIAM STEWART.

Davis County.

THOMAS S. SMITH.

HENRY W. MILLER,
JOHN STOKER.

Weber County.

LOREN FARR,
JONATHAN BROWNING.

ALBERT ALLEN,
LUMAN A. SHIRTLIFF,
DWIGHT HARDING.

Utah and Juab Counties.

AARON JOHNSON,
LEONARD E. HARRINGTON.

SILAS HILLMAN,
JOSEPH A. KELTING,
JAMES C. SNOW,
JACOB G. BIGLER.

Salt Lake County.

ISAAC MORLEY.

MADISON D. HAMBLETON.

JAMES McGAW.

GEORGE A. SMITH,

Millard County.

WILLIAM FELSHAW.

Iron County.

CALVIN C. PENDLETON,
ROBERT WILEY.

Tooele County.

EZRA T. BENSON.

~~HISTORIAN'S OFFICE~~
*Church of Jesus Christ
of Latter-day Saints*

ACTS AND RESOLUTIONS

OF THE

TERITORY OF UTAH.

RESOLUTION

Appropriating money to pay the expenses of the Utah
Territorial Library.

*Resolved by the Governor and Legislative Assembly of
the Territory of Utah, That the Librarian be hereby
authorized to draw from the Treasury of the Territo-
ry, four hundred dollars, as compensation for his ser-
vices, the current year; and one hundred and fifty dol-
lars, or so much thereof as may be necessary for
contingent expenses.*

Compensation
for services.

Contingent ex-
penses.

Approved, Dec. 27th, 1853.

RESOLUTION

For the relief John Strother Tutt.

*Be it resolved by the Governor and Legislative Assembly
of the Territory of Utah, That the sum of one thous-
and one hundred and thirty-two dollars and fifty-eight
cents be paid out of the Territorial Treasury to John
Strother Tutt, or order, on or before the fifteenth day
of December, A. D. eighteen hundred and fifty-four,
to indemnify the said Tutt for the loss of a wagon and
goods, by the breakage and washing away of a bridge
on East Bear river, on or about the 10th day of June,
in the year eighteen hundred and fifty-three.*

•1132 58 to be
paid J. S. Tutt.

Approved, Jan. 7th, 1854.

AN ACT

To amend the fourteenth section of "An ordinance incorporating the University of the State of Deseret," passed by the General Assembly of Deseret, February 28th, 1850.

Report to be
made to auditor

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That the 14th section of "An ordinance incorporating the University of the State of Deseret, be amended so as to read "on or before the 15th day of October in each year, to the Auditor of Public Accounts;" instead of "on the first day of December in each year to the Secretary of State."

Approved, January 7th, 1854.

AN ACT

Prescribing the manner of Assessing and Collecting Territorial and County Taxes.

County courts
to appoint as-
sessor.

Bonds.

Oath of office.

Property ex-
empt from tax-
ation.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That annually, at its session in December, each county court shall appoint an assessor, who shall also be the collector, and who shall give bonds to the county court in at least twice the amount of the taxes to be collected, with approved security, and conditioned for the faithful performance of his duty, and shall take and subscribe an oath to the like effect; and said bonds and oath shall be filed in the office of the clerk of the county court, before the assessor and collector enters upon the duties of his office; and if the county court deem it necessary at any time, they may require other bonds or security to be given.

Sec. 2. Property belonging to the United States; to this Territory, or any county, city, or town thereof; to literary, scientific, and benevolent institutions when used for those purposes; to religious societies; to insane or idiotic persons to the value of one thousand dollars; private libraries; burial grounds; and monuments for the dead, are exempt from, but all other property is subject to taxation.

Sec. 3. A Territorial tax of one fourth per cent on the assessed value of all taxable property in the Territory, shall be assessed and collected annually, to pay appropriations made by the Legislative Assembly; and a county tax, at a rate prescribed by the county court, not to exceed a half per cent on the assessed value of all taxable property in the county, may be assessed and collected annually in each county, to pay appropriations made by the county court.

Territorial tax

County tax

How property
is to be asse-
sed.

Sec. 4. Property shall be assessed in the county where it is at the time of assessment, and to the owner thereof if known; otherwise to the person having it in possession.

Goods brought
for sale.

Sec. 5. The first assessment on goods brought into this Territory for sale, shall be made by adding to the amount of the invoice the average per cent realized, or intended to be; and goods thus assessed, but remaining unsold at the time of the next assessment, shall be assessed like other taxable property; and goods brought in by transient traders shall be assessed, and the tax collected, when they are exposed for sale; and immediately after the receipt of any lot of goods intended for sale, the owner or agent shall furnish the assessor and collector with the correct amount of the invoices, a copy of which he shall file in the office of the clerk of the county court.

Transient tra-
ders.Owner shall
furnish asses-
sor amount of
invoices.Time of asse-
ssment.

Sec. 6. Except otherwise provided in this act, the assessment shall be made between the first day of January and the first Monday of March in each year; and property shall be assessed at its fair cash market value.

Sec. 7. Previous to the first day of January in each year, the county clerk in each county shall furnish the assessor and collector with a suitable book, conveniently ruled, and headed throughout as follows:

County clerk
to furnish
books &c.

	Names of owners or possessors.
	Residence.
	Value of land claims and improvements.
	Number of cattle.
	Value.
	Number of horses.
	Value.
	Number of asses.
	Value.
	Number of mules.
	Value.
	Number of sheep and goats.
	Value.
	Number of swine.
	Value.
	Number of vehicles.
	Value.
	Number of Clocks and Watches.
	Value.
	Value of merchandise.
	Value of stock in trading and manufacturing companies.
	Value of gold dust and bullion.
	Value of gold and silver plate and ornaments.
	Money loaned and on hand.
	Value of taxable property not enumerated.
	Total value.
	Amount of Territorial tax.
	Amount of County tax.
	Amount paid.
	Name of payer.

Remarks.

and also with as many copies of the above heading as the assessor and collector may require, each copy to have room enough below the heading for one person to write his name, residence, and property.

Sec. 8. The assessor and collector must make his tax list in alphabetical order, and shall pursue that course in his official duties, which in his judgment will

enable him to complete the assessment in the most uniform manner, and in the shortest time; and to aid him therein may when necessary leave with any person, or at any residence, a copy of the aforesaid heading, with the name of the person required to fill it, and a reasonable date on or before which it must be returned, written on the back thereof; and any person furnished with said list must comply with the requirements.

May require persons to make out their own list of property.

Sec. 9. The assessor and collector shall present the tax list to the county court at its March session; and all complaints of errors in the assessment may be presented to the court during said session, when they shall be examined, and finally adjudicated, and the assessor and collector's compensation, and the rate per cent requisite for the yearly county revenue determined.

Complaints of errors in assessment.

Sec. 10. Immediately after the adjournment of the March session, the clerk of the court shall write upon the head of the tax list, the territorial and county rate per cent for that year, and set each person's amount of territorial and county tax in the proper columns opposite his name, and make a correct copy of the tax list thus finished, and furnish it to the assessor and collector, and inform the territorial treasurer, and the auditor of public accounts, of the total amount of the territorial tax, the name of the assessor and collector, and the amount allowed for his services, which must be paid by the territory and county in proportion to their share of taxes; and safely file the original list with the office records.

Compensation of assessor determined by county court.

Sec. 11. When the assessor and collector receives the tax list, he shall immediately proceed to collect the same, by requiring of each tax payer his amount of tax; and shall pay the part collected for the county, to the county treasurer once a month, or oftener if required by the county court; and the part collected for the territory, to the territorial treasurer quarter yearly, or oftener if required by said treasurer; and take a receipt for all payments; and shall, on or before the first day of September, make a report to the auditor of public accounts, of the amount of territorial funds on hand, of territorial tax collected, and what will probably be realized from the portion that may still be uncollected; and a like report of the condition of the county tax to the county court, on the first day of its

Clerk to furnish tax list to assessor.

Territorial treasurer and auditor to be informed.

Further duties of ass'r & col'r.

To report to auditor.

Report to county court.

Settlement to be made.

Auditor and county clerk to keep accounts with collector.

Assessor authorized to sell property.

To give reasonable notice.

Lawful tender.

County court to adjudge delinquents.

Assessor and collector to pay delinquencies.

May appoint a deputy.

Empowered to administer oaths.

September session, at which he must be present with the tax list; and shall make a full report to, and settlement with the auditor of public accounts, and the county court, during the December session of said court.

Sec. 12. It shall be the duty of the auditor of public accounts, and the clerks of the county courts, to keep an account with the assessors and collectors, debiting each with the amount of tax, and crediting him with the amounts paid in, the amount remitted by the courts, and the compensation allowed for his services.

Sec. 13. In case any person neglects, or refuses to pay his tax when required, the assessor and collector is authorized and empowered to take and sell, in the manner most advantageous for the owner, enough taxable property belonging to the delinquent to pay his tax, and the costs of collection; and if said property is to be sold at public sale, he shall give reasonable notice of the time, place, and kind of property.

Sec. 14. All county taxes must be paid with money, or county orders; and all territorial taxes with money, or auditor's warrants.

Sec. 15. The county court shall, during its September session, examine the names of those then delinquent on the tax list, and if in their judgment the taxes of any delinquent ought to be remitted, the clerk of said court shall write the word "*remitted*" against such person's name, and when the examination of the list is completed, the clerk shall forthwith report to the territorial treasurer, and the auditor of public accounts, the amount of territorial taxes remitted. And said court at its December session, shall again examine the tax list, and proceed as at the September session, and if names of delinquents still remain on the list, the amount of their delinquency shall be paid by the assessor and collector, who is hereby empowered to collect such taxes for his own benefit.

Sec. 16. If necessary, the assessor and collector may appoint a deputy to assist him in the assessment, who shall take and subscribe an oath for the faithful performance of his duties, and for whose official acts and compensation the assessor and collector shall be responsible.

Sec. 17. Assessors and collectors and their deputies are hereby empowered to administer oaths in the discharge of their official duties, and may require any

person to give a statement of his taxable property under oath.

Sec. 18. Any person refusing to give the assessor and collector an account of his taxable property, or giving a false statement thereof designedly, shall, on conviction before any court having jurisdiction, be fined in a sum not exceeding the value of property in question; or if he neglects to comply with any requisition contained in this act, when applicable to him, on conviction, shall pay such amount as may be adjudged by said court; or if he knowingly much undervalues any portion of his taxable property not seen by the assessor and collector, the latter is empowered to purchase the same for the county at the said valuation of the owner.

Penalty for
false statement
of property.

Sec. 19. The assessor and collector is required and empowered to collect taxes at the rate of the previous year, from any person that he presumes will move from the county before the regular time for collection; and to assess any person or property that has been accidentally omitted during the time for assessment; and must report his doings under this section, in the same manner as though done within the regular times.

Assessor em-
powered to pur-
chase.

Persons mov-
ing.

Sec. 20. When the public good of any county requires an expenditure exceeding its legal revenue, the county court may submit the object of such expenditure, and the amount required, to be voted upon by the people, at such time and place as the court may appoint, of which at least six days notice must be given; and any surplus of funds raised by vote of the people shall be paid into the county treasury; and the county clerk shall make a separate list of the names of the taxable persons, and place opposite each name his share of tax voted for, and furnish said list to the acting assessor and collector, who shall proceed therewith as with the collection of the current taxes.

Assessments
omitted.

Extra revenue
to be voted by
the people.

Sec. 21. When the probate judge in any county receives a copy of this act, he shall forthwith call a special session of the county court, whose duty it shall be to appoint an assessor and collector, and the clerk of said court shall furnish him the tax book, and the aforesaid headings, as soon as possible; and said assessor and collector, upon the receipt of said books, shall forthwith diligently proceed with the assessment until completed, and report as required in this act to the

Probate Judge
to call special
session of
county court.

Court to adjourn until assessment is completed.

county court at its March session; and if any assessment is not completed at that time, the county court shall adjourn to the earliest date that will admit of its completion, and the making a full report thereon. And the present acting assessor and collector must proceed diligently in his duty; and at that session of the county court at which his successor in office reports his assessment completed, must make a full report to, and settlement with said court, and pay to the territorial and county treasurers their respective share of funds in his hands; and the clerk of the court shall make two separate lists of the names of those delinquents whose taxes are not remitted, one of which he shall file in his office, and furnish the assessor and collector with the other for collection.

Repeal.

Sec. 22. All other laws or parts of laws relating to the assessing and collecting of territorial, county, or poll taxes, (chartered rights excepted,) are hereby repealed.

Approved, Jan. 7th, 1854.

AN ACT

Relating to the United States Courts for the Territory of Utah.

First judicial district.

Second judicial district.

Third judicial district.

Time of holding courts in 1st district.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That the first Judicial District shall embrace and be composed of Great Salt Lake, Davis, Weber, Tooele, and Utah counties, and all regions of country lying east, north and west of said counties; and the second of Juab, San Pete, and Millard counties, and all regions of country lying south of the south latitude of Utah county, and north of the south latitude of Millard county; and the third of Iron county, and all regions of country lying south of the south latitude of Millard county.*

Sec. 2. The Hon. Leonidas Shaver, associate justice, is assigned to the first Judicial District, and shall hold courts annually as follows, viz: On the first Monday in December in Great Salt Lake City; on the first Monday in March in Ogden City; on the third Monday in March in Provo City; and on the second Monday in August in Fort Supply.

Sec. 3. The Hon. Lazarus H. Reed, chief justice, is assigned to the second Judicial District, and shall hold court annually as follows, viz: On the third Monday in October in Nephi City; on the last Monday of October in Manti City; and on the second Monday of November in Fillmore City.

Time of holding courts in 2nd district.

Sec. 4. The Hon. Zerubbabel Snow, associate justice, is assigned to the third Judicial District, and shall hold court annually as follows, viz: On the third Monday in November in Parowan City.

Time of holding court in 3rd district.

Sec. 5. A Supreme Court shall be held annually on the first Monday in January in Great Salt Lake City.

Supreme court.

Sec. 6. Each session of said courts shall be kept open at least one day; and no session to be legal except an adjournment in the regular term.

When sessions are legal.

Sec. 7. Upon the petition of not less than one hundred legal voters and tax-payers residing in any Judicial District, the Judge of said District, shall hold a special session of court at the time and place specified in the petition, unless a remonstrance to said petition is seasonably presented to the Judge, and signed by a larger number of like qualified signers than said petition has, in which case a special session shall not be held; and a like course by the required number of like qualified residents of this Territory shall obtain or prevent a special session of Supreme Court.

When special sessions are legal.

Remonstrance.

Sec. 8. All other laws and doings of the Legislative Assembly on the subject of this act, are hereby repealed.

Repeal.

Aproved, Jan. 13th, 1854.

RESOLUTION

To encourage the raising of Flax and Hemp.

1. *Be it resolved by the Governor and Legislative Assembly of the Territory of Utah,* That the sum of four hundred dollars be, and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to be paid in awarding premiums as follows:

\$400 appropriated.

Conditions. 2. The person that shall raise the greatest number of bushels of flax seed, and the greatest amount of lint from two acres of ground, shall be entitled to a premium of one hundred dollars; the person raising the greatest number of bushels from one acre, shall be entitled to sixty dollars; and the person raising the greatest number of bushels from one half acre, shall be entitled to forty dollars.

Amount of premiums. 3. The person who shall raise the greatest number of pounds of hemp lint from two acres, shall be entitled to one hundred dollars; the person raising the greatest number of pounds from one acre, shall be entitled to sixty dollars; and the person raising the greatest number of pounds from one half acre shall be entitled to forty dollars: *Provided*, that no more than one of the above premiums on flax seed, or hemp lint, shall be awarded to the same person.

Proviso. 4. All claims for the above premiums must be accompanied with sufficient evidence of the amount of ground sown; the number of bushels sown, and how the ground was prepared; and that it was raised in the year 1854 by the person claiming the premium; and be accompanied by a written statement of the amount of seed sown, number of acres, kind of soil, and how prepared, when sown, when harvested, and quantity of lint. Said evidence and statement must be filed with the auditor of public accounts on or before the first of December next.

Necessary evidence. 5. As soon after the first of December as practicable, the auditor shall give each successful claimant an order on the treasurer for the amount of premium due.

Approved, Jan. 13th, 1854.

Statement to be filed with the auditor.

Auditor to award premiums.

Boundaries of Green River county.

AN ACT

Defining the boundaries, and for the organization of Green River and Summit counties, and defining the eastern boundary of Davis county.

See. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah*, That all that section of country, bounded north by Oregon, east by the

Territorial line, south by the parallel of the thirty-ninth degree and thirty minutes north latitude, and west by a north and south line that intersects Sulphur creek where the present emigration road crosses it, is, and the same shall hereafter be called Green River county.

Sec. 2. That the Probate Judge for said county, when elected, shall be authorized and empowered to organize the same, when in his opinion it shall become expedient and necessary; also, to locate and establish the county seat in said county.

Probate judge to organize.

Sec. 3. That all that section of country, bounded north by Oregon, east by the west line of Green River county, south by a parallel line forming the southern boundary of Great Salt Lake county, and west by a parallel line forming the eastern boundary of Weber county, is, and the same shall hereafter be called Summit county, and is attached to Great Salt Lake county for election, revenue, and judicial purposes.

Boundaries of Summit county

Sec. 4. Davis county shall be bounded on the east by Summit county.

Davis county

Sec. 5. All laws and parts of laws conflicting with this act, are hereby repealed.

Repeal.

Approved, Jan. 13th, 1854.

RESOLUTION

Offering a reward for the discovery of a Coal bed near Great Salt Lake City.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah, That the sum of one thousand dollars be, and the same is hereby appropriated out of any money in the public treasury not otherwise appropriated, as a reward to any resident of this Territory who will open a good coal-mine, not less than eighteen inches thick, within forty miles of Great Salt Lake City, in any accessible position, and that can be profitably worked; and when the Governor shall become satisfied of the fact, he may draw on the treasury of the Territory for the amount in favor of the person entitled to it; and the Governor shall control said coal mine until further provided for by law.

\$1,000 appropriated.

Governor to control coal mine.

AN ACT

Containing provisions applicable to the laws of the Territory of Utah.

Questions of
law to be decided
by the
court.

What laws
shall be cited.

Reports, deci-
sions, &c,

Repeal of laws.

How laws &c.
are to be con-
strued.

Construction of
language.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That all questions of law, the meaning of writings other than laws, and the admissibility of testimony, shall be decided by the Court; and no laws nor parts of laws shall be read, argued, cited, or adopted in any Court, during any trial, except those enacted by the Governor and Legislative Assembly of this Territory, and those passed by the Congress of the United States when applicable; and no report, decision, or doings of any Court shall be read, argued, cited, or adopted as precedent in any other trial.*

Sec. 2. The repeal of a law does not revive one previously repealed by it, nor affect any rights, duties, or penalties which have arisen under it.

Sec. 3. Laws, and parts thereof, and words, and phrases, shall be construed in accordance with the customary usage of the language.

Sec. 4. Words used in one tense may include either; and words used in one gender may include either; the singular may be read plural, and the plural singular; "person" may include a partnership, and a body corporate and politic; "writing" may include printing; "oath" may include affirmation or declaration; "signature" or "subscription" may include a mark, with the person's name written near it, and witnessed by one who can write. "Property" includes everything usually bought and sold, unless restricted. Joint authority given to three or more persons is given to the majority, unless restricted.

Approved, Jan. 14th, 1854.

RESOLUTION

Exempting the Members of the Legislative Assembly of the Territory of Utah, from arrest and summons, during the sitting of the Legislature, and while going to and from the same.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah, That the members of the Council and House of Representatives, shall be privileged from arrest and summons, during the sessions of the Legislative Assembly, or during the time of their going to, and returning from said session, except for treason or murder; and no suit at law against any member, shall be prosecuted during said session.

Members ex-
empt from ar-
rest.

Approved, Jan. 14th, 1854.

TERRITORIAL APPROPRIATION BILL.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That there be paid out of the Territorial treasury out of any money not otherwise appropriated, the following amounts, viz:

To the Adjutant General, to defray the expenses of his office, and for services up to December 31st, 1853, four hundred dollars. Adjutant Gen'l

To the Auditor of Public Accounts, for the expenses of his office, and for services during the year 1853, three hundred dollars. Auditor of ac-
counts.

To George D. Watt, for services as Reporter to the Legislative Council, during the session of 1852-3, and that of 1853-4, eighty days, two hundred and forty dollars. G. D. Watt.

To Walter Thompson, for services as Reporter to the House of Representatives, during the session of 1852-3, and that of 1853-4, eighty days, two hundred and forty dollars. W. Thompson.

To William Clayton, Recorder of Marks and Brands, one hundred and fifty dollars. Wm. Clayton.

Approved, Jan. 16th, 1854.

AN ACT

To amend "an act in relation to Marks and Brands,"
Approved March 1st, 1852.

Recorder to
furnish printed
sheets

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah*, That the General Recorder shall gratuitously furnish each Probate Judge, County Clerk, Sheriff, Justice of the Peace, Constable, and Pound-keeper in this Territory, with a printed copy of all the Marks and Brands already recorded and printed, and a copy of all future recorded Brands, so soon as practicable after they are printed; and all said copies shall be delivered to the successors in office of the above named officers, and be free to the inspection of any person wishing it.

Recorder's fees
Sec. 2. That the General Recorder of Marks and Brands is entitled to a fee of one dollar for recording each mark or brand, to be paid by the applicant; and section 11 of said amended act shall be read one dollar, where it now reads fifty cents.

Approved, Jan. 16th, 1854.

RESOLUTION

In relation to printing and distributing a certain number of the Laws and Journals of the Legislative Assembly.

Laws and jour-
nals to be prin-
ted.

Sec. 1. *Be it resolved by the Governor and Legislative Assembly of the Territory of Utah*, That one thousand copies of the Laws, Resolutions, and Memorials, with marginal notes, index, and contents; and five hundred copies of the Journals of the present session of each house, be printed in book form, under the supervision of the Secretary of the Territory.

Officers &c., to
be furnished
with copies.

Sec. 2. The Secretary of the Territory is hereby required to furnish the Governor of each State and Territory of the United States, with one copy of said Laws and Journals; and the Governor of Utah Territory with fifty copies of each; and each member of the present Legislative Assembly with two copies of the Laws, and one copy of the Journals; and each of

ficer of the Legislative Assembly with one copy of each; and each civil officer of the Territory with one copy of each; and the Utah Library, and the Library of the University of Deseret each, with five copies of the aforesaid Laws and Journals; and each public Library in the Territory, with two copies of all the Laws and Journals.

Approved, Jan. 16th, 1854.

AN ACT

Defining the boundaries of Carson County, and providing for the organization thereof.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That all that portion of country bounded north by Desert county, east by the parallel of longitude 113 degrees, south by the boundary line of this Territory, and west by California, is hereby included within the limits of Carson County; and until organized, is attached to Millard county for election, revenue, and judicial purposes.

Boundaries of
Carson county.

Sec. 2. The Governor is hereby authorized to appoint a Probate Judge for said county, when he shall deem it expedient; and said Probate Judge when appointed, shall proceed to organize said county, by dividing the county into precincts; and causing an election to be held according to law, to fill the various county and precinct offices, and locate the county seat thereof.

Governor to
appoint Pro-
bate Judge.

Judge to organ-
ize.

Approved, Jan. 17th, 1854.

AN ACT

Relating to Sheriffs and Constables.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That at the next general election, and every two years thereafter, a Sheriff shall be elected in each county, whose term of office shall be two years, and until his successor is qualified.

Sheriffs to be
elected.

Bonds.

Oath of office.

Sheriff may appoint a deputy.

Duty of Sheriffs and Constables.

Sec. 2. Before entering upon the duties of his office, the Sheriff shall give bonds in at least five thousand dollars, with approved security, and take and subscribe an oath for the faithful performance of his duties; said bonds and oath to be approved by the Probate Judge, and filed in the office of the county clerk.

Sec. 3. The Sheriff may appoint a deputy, or deputies, for whose acts he shall be responsible; and who shall qualify in the same manner as the Sheriff, except that the bonds may be in the sum of two thousand dollars each.

Sec. 4. When a reasonable compensation is tendered, or satisfaction given that the costs of service will be seasonably paid, it is the duty of Sheriffs and Constables to faithfully and diligently execute all orders, processes, and requirements of a Court, under penalty of whatever costs, damages, and fine may be adjudged.

Approved, Jan. 17th, 1854.

AN ACT

Regulating herdsmen, herding, herd grounds, and the driving of animals.

Herdsmen to give bonds to probate judge.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That every person before engaging in the business of herding shall give bonds with security, and take and subscribe an oath, conditioned for the faithful performance of his duty, and for the indemnifying for all loss of time or animals through his neglect, said bonds and security to be given to the acceptance of the Probate Judge of the county where the herd ground is to be located, and with the oath to be filed in his office, and may be altered, or others given on the requirement of said Judge; and when said bonds and oath are accepted and filed, the Probate Judge shall grant the applicant a license to herd for a period not exceeding one year next ensuing after the date of the location of the herd ground.

Probate judge to grant license.

Sec. 2. When a license to herd is presented to a county court, said court shall give a certificate, grant-

ing the holder of the license the right to employ a surveyor to designate the boundaries of the desired herd ground, and specifying the locality, and as near as may be the size of said herd ground, a plot of which must be made by the surveyor, and a copy thereof filed in the office of the county clerk, as soon as practicable.

Surveyor to designate boundaries of herd grounds.

Sec. 3. No herd ground shall be so located as to interfere with any previous rights, nor with the range necessary for the animals of any settler, or settlement.

Previous rights

Sec. 4. All herdsmen shall be responsible for the safe keeping, and return of animals placed in their care; and if any such animal dies, or is missing by neglect; the owner thereof has claim on the herdsmen for its value, and for any damage that may have accrued from its loss.

Responsibility of herdsmen.

Sec. 5. Improvements on herd grounds are all pertaining to them which can be sold or transferred, and no improvements shall be construed to imply any claim for herding purposes after the expiration of the time specified in the license.

Improvements all that can be sold.

Sec. 6. Any person driving animals, shall use due diligence to prevent driving those not in his care; and if he cannot prevent such animals from mingling, he shall leave them in the first estray pound, or yard, or enclosure for animals that he can obtain, and notify the owner if known, and if not, some resident, of the number, kind, and brief description of the animals which have mingled with his, and where he has left them.

Driving animals not in his care.

Sec. 7. Any person driving animals into this Territory, shall, on arrival in the settlements, have them marked or branded if they are not, and forthwith report his mark or brand, and the number of his animals, specifying the number of each kind, and as soon as possible report, over his signature, said number, and mark or brand to the clerk of the county court of the first organized county which he reaches.

Animals to be branded.

Sec. 8. An person failing to comply with the requirements contained in this act, is liable for all cost and damage arising from his neglect, and to be fined at the discretion of any court having jurisdiction.

Liabilities.

Sec. 9. All other laws, or parts thereof, on the subject of this act, are hereby repealed.

Approved, Jan. 18th, 1854.

Repeal.

AN ACT

Prescribing the official terms of certain officers elected by the Legislative Assembly, and providing for vacancies.

Officers to be elected.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That an Auditor of Public Accounts, a Treasurer, a Territorial Commissioner, a Surveyor General, and a Notary Public, for each county, shall be elected by the joint vote of the present Legislative Assembly, who shall qualify as prescribed by law, and shall hold office for two years, and until their successors are qualified.*

Term of office.

Sec. 2. Vacancies may be filled by executive appointment in the foregoing, or any offices, when the mode of supplying vacancies is not prescribed by law.

Repeal.

Sec. 3. Laws, or parts thereof, conflicting with this act, are hereby repealed.

Approved, Jan. 19th, 1854.

RESOLUTION

Relating to the Representation of Green River and Great Salt Lake Counties.

Green river county.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah, That Green River county be entitled to one Representative in this Legislative Assembly; and that Great Salt Lake county elect one less than heretofore.

Great Salt Lake county.

Approved, Jan. 19th, 1854.

AN ACT

Specifying the time when Acts and Resolutions begin to be in force, and making them equally valid.

Laws in force from date of publication.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That each act and resolution is in force from the date of its publication

in any public manner, unless a certain time is specified; and resolutions are equally valid with acts.

Approved, January 19th, 1854.

PREAMBLE AND ACT

In relation to the construction of a Canal from Utah Lake to Great Salt Lake.

Whereas, a large portion of the citizens of Great Salt Lake county and vicinity, have subscribed considerable amounts for the purpose of constructing a canal connecting Utah and Great Salt Lakes, for the purpose of navigation, machinery, and irrigating the land, large bodies of which might be brought into successful cultivation, if water to irrigate with, could be procured; and

Whereas, the aforesaid subscribers do propose to obtain further subscriptions, and petition for the Territorial Government to adopt some system of operations, and appoint an agent or commissioners who shall be authorized to superintend and construct said canal, and award land claims to the subscribers, equal to the amount which they shall pay respectively:

Therefore to aid by our influence, and desiring to encourage by our acts, so desirable an object:

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah,* That Ira Eldredge, Jeses W. Fox, and Robert Wimmer, are authorized to locate the route for said canal; solicit, receive, collect, and disburse subscriptions, and generally do all other things necessary for the progress and completion of said work.

Sec. 2. The aforesaid commissioners shall proceed without delay to locate said canal, and make an estimate of the entire cost of its construction, upon the plan hereinafter indicated.

Sec. 3. Said canal shall commence above the rapids in Jordan river, where a dam shall be constructed across said river of a sufficient height to cause slack water navigation to Utah Lake, and proceed as near the base of the mountains on the west side of Great Salt Lake valley as practicable, to Great Salt Lake;

Commissioners
to locate canal,
receive funds,
&c.

Commissioners
to make esti-
mate of cost.

Dam to be con-
structed.

Guard locks
and waste
gates.

Commissioners
to apportion
land claims.

Four sections
of land to be
reserved.

Further duties
of Commis-
sioners.

Right of water
for navigation,
&c., reserved.

Commissioners
to report to the
Governor.

Expenses of
surveying, how
paid.

Governor au-
thorized to fill
vacancies.

and shall be of sufficient depth and width for the transportation of boats drawing two and a half feet of water, and twelve feet width of hull. There shall also be good and sufficient guard locks, and locks for leveling, and waste gates; as also large reservoirs with good and sufficient embankments to contain water for irrigating purposes, at all convenient points.

Sec. 4. The commissioners shall survey the lands, which may be benefitted by the construction of said canal upon each side thereof; likewise take into consideration the benefit arising to present holders of land claims, and apportion the land claims according to the estimated expense and cost of said canal, reserving at each terminus, and at such other convenient points along said canal, to be located by the Governor or his authorized agent, to the amount of four sections of land, to be held in reserve for future use or disposal.

Sec. 5. The commissioners shall then proceed and assign unto the subscribers respectively, the possession of land claims, and right of water to irrigate, equal to the precise amount which they have paid, and no more; accommodating locations already made as far as practicable; and the residue shall be held in reserve for further subscription; and it is distinctly understood that the right of water for navigation, and machinery, is held in reserve for future use or disposal.

Sec. 6. The aforesaid commissioners shall make a full and complete report of their doings herein, to the Governor, on or before the 1st day of October in each year, and oftener if required; and they shall also notify him when they have prepared the apportionment, that he make the reserve of land claims and possessions above mentioned.

Sec. 7. The expense incurred by surveying the land, shall be taxed upon the land claims, and be paid out of the subscriptions; and the expense incurred by locating and surveying the proposed canal, shall be defrayed by the subscriptions of the commissioners herein above appointed; and in case that the commissioners herein appointed do not accept of their appointments, or in case of a vacancy, the Governor is hereby authorized to appoint others in their stead.

Approved, Jan. 19th, 1854.

RESOLUTION

Concerning Typographical errors in the Laws of Utah.

Be it resolved by the Governor and Legislative Assembly of the Territory of Utah, That a list of typographical errors in the Laws printed in 1853, be printed and bound with the Laws to be printed in 1854; and if necessary, a like list for the Laws of this session.

List of typographical errors to be printed.

Approved, Jan. 20th, 1854.

AN ACT

Providing for the management of certain property.

Sec. 1 *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That the Probate Judge in each county is empowered and required to take possession of all property left by any deceased or abscondent person, when there is no legal claimant known, or sufficiently near to see to it in season; and shall forthwith appraise and make two lists of said property, and keep one on file, and furnish one to the Treasurer of the Perpetual Emigrating Fund.*

Probate judge to take property belonging to deceased persons.

Sec. 2. It is hereby made the duty of every person having such property in his possession, or knowing it be in the possession of any other person, to report the property forthwith, and the name of the person in possession thereof, to the Probate Judge of the county where said possessor is at the time; and said Judge shall take possession of such property as soon as practicable, and proceed therewith as required above.

Responsibility of individuals.

Sec. 3. At the earliest practicable date, the Probate Judge shall place said property, or the avails thereof, in the possession of said Fund, the value thereof to remain there until proven away by a legal claimant, when said Judge shall give an order therefor on the Treasurer of the Fund.

Property to be put into Perpetual Emigrating Fund.

Sec. 4. A failure to comply with the requisitions of this act, may be punished by costs, damages, and fine, adjudged by any court having jurisdiction.

Penalty for non-compliance.

Approved, Jan. 20th, 1854.

AN ACT

Prescribing the times for holding county courts.

Sessions of
county courts.

Repeal.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That sessions of the County Courts shall be held quarterly, on the first Monday in March, June, September, and December in each year, and oftener if they deem it necessary.*

Sec. 2. The 42nd section of "An act in relation to the Judiciary, approved, Feb. 4th, 1852," is hereby repealed.

Approved, Jan. 20th, 1854.

GENERAL APPROPRIATION BILL.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That there be paid out of the sum appropriated by Congress for defraying the expenses of the Legislative Assembly of this Territory, for the year ending June the thirtieth, one thousand eight hundred and fifty-four, the following amounts, viz:

Per diem of
legislature.

Guards for
members
1852-4.

Guards for
members
1852-3.

President of
Council.

J. Ferguson.

Wm. Clayton.

R. Cahoon.

Jos. Busby.

For compensation and mileage of the members of the Legislature, five thousand three hundred and twenty-eight dollars.

For guards for members of the Legislature, through the Indian country, in going to and from this session. two thousand seven hundred and twelve dollars.

For guards for the members of the Legislature, through the Indian country, in going to and from the session of 1852-3, one thousand seven hundred and twenty-eight dollars.

To the President of the Council, forty days, one hundred and twenty dollars.

To James Ferguson, Secretary of the Council, forty days, one hundred and twenty dollars.

To William Clayton, Assistant Secretary of the Council, forty days, one hundred and twenty dollars.

To Reynolds Cahoon, Sergeant-at-Arms of the Council, forty days, one hundred and twenty dollars.

To Joseph Busby, Foreman to the Council, forty days, one hundred and twenty dollars.

To Stephen Taylor, Messenger to the Council, forty ^{S. Taylor.} days, one hundred and twenty dollars.

To George D. Watt, Reporter to the Council, forty ^{G. D. Watt.} days, one hundred and twenty dollars.

To the Rev. John Smith, Chaplain of the Council, ^{Rev. J. Smith.} forty days, one hundred and twenty dollars.

To the Speaker of the House of Representatives, ^{Speaker of the House.} forty days, one hundred and twenty dollars.

To Thomas Bullock, Chief Clerk of the House of ^{T. Bullock.} Representatives, forty days, one hundred and twenty dollars.

To Jonathan Grimshaw, Assistant Clerk of the House ^{J. Grimshaw} of Representatives, forty days, one hundred and twenty dollars.

To Robert T. Burton, Sergeant-at-Arms of the ^{R. T. Burton} House of Representatives, forty days, one hundred and twenty dollars.

To Joseph A. Young, Messenger to the House of ^{J. A. Young} Representatives, forty days, one hundred and twenty dollars.

To Henry W. Lawrence, Foreman to the House of ^{H. W. Lawrence.} Representatives, forty days, one hundred and twenty dollars.

To Walter Thompson, Reporter to the House of ^{w. Thompson} Representatives, forty days, one hundred and twenty dollars.

To the Rev. Phinehas Richards, Chaplain of the ^{Rev. P. Richards.} House of Representatives, forty days, one hundred and twenty dollars.

To James Ferguson, Secretary of the Council for ^{J. Ferguson.} forty days service after close of session 1852-3, one hundred and twenty dollars.

To Thomas W. Ellerbeck, Assistant Secretary of ^{T. W. Ellerbeck, 1852-3.} the Council, for forty days service after the close of session 1852-3, one hundred and twenty dollars.

To Thomas Bullock, Chief Clerk of the House of ^{Thos. Bullock.} Representatives, for forty days service after the close of session 1852-3, one hundred and twenty dollars.

To Jonathan Grimshaw, Assistant Clerk of the ^{J. Grimshaw.} House of Representatives, for forty days service after the close of session 1852-3, one hundred and twenty dollars.

To George D. Watt, Reporter to the Council, for ^{G. D. Watt.} forty days service after the close of session 1852-3, one hundred and twenty dollars.

W. Thompson,
1852-3. To Walter Thompson, Reporter to the House of Representatives, for forty days service after the close of session 1852-3, one hundred and twenty dollars.

E. D. Woolley.
1852-3. To Edwin D. Woolley, for services as committee on preparing the Laws and Journals of the Legislature of 1851-2, for printing, &c., forty days, two hundred dollars.

Printing laws,
&c., 1852-3. For printing the Laws and Journals of the Legislature for 1852-3, advertising, &c., two thousand nine hundred and sixty-five dollars and five cents.

A. C. Brower, To Arieh C. Brower, Public Printer, for sundry printing, advertising, &c., and for printing the Laws and Journals for 1853-4, seven thousand four hundred and eighty dollars.

J. Bullock for
proof reading. To Thomas Bullock, for examining proofs and revise of the Laws of the Legislative Assembly for 1852-3, 12 forms at \$6, seventy-two dollars.

J. Grimshaw
for proof reading. To Jonathan Grimshaw, for examining proofs and revise of the Journals of the Legislative Assembly for 1852-3, 9 forms at \$6, fifty-four dollars.

Incidental ex-
penses. For incidental expenses paid by the Territorial Secretary as per vouchers, two thousand and ninety-nine dollars and fifteen cents.

Rent of Coun-
cil chamber &c. For the use of the Council Chamber and Committee Room for the Legislative Assembly from December 1852 to January 1854 inclusive, eighty days, four hundred dollars.

Incidentalprint-
ing. To Arieh C. Brower, for incidental printing during this session as per bill, nine hundred and seventy-seven dollars and fifteen cents.

Aproved, Jan. 21st, 1854.

AN ACT

Concerning ferries and bridges on Weber and Bear rivers, east of the main range of the Wahsatch mountains.

Sec. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That Brigham Young is hereby empowered to establish, regulate and control ferries and bridges on Weber and Bear rivers, east of the main range of the Wahsatch mountains, and to specify the rates of toll for the use thereof.*

B. Young em-
powered to es-
tablish and con-
trol.

Sec. 2. If any person in any manner operates in ferries and bridges on said rivers in the above named region, except under the above named control, unless under charter derived from the Governor and Legislative Assembly, he is liable for all costs, damages and fine that may be adjudged by any court having jurisdiction.

Penalties.

Sec. 3. An act granting to Phinehas H. Young and Brigham H. Young, the right to erect toll bridges across East Weber and Bear rivers, approved, Jan. 21st, 1853, and An act to amend said aet, approved, June 3rd, 1853, are hereby repealed.

Approved, Jan. 20th, 1854.

Repeal.

1851

RECEIVED
FEDERAL BUREAU OF INVESTIGATION

MEMORIALS.

MEMORIAL TO CONGRESS,

In relation to the Pacific Railway.

To the Honorable the Senate and House of Representatives of the United States in Congress Assembled;

GENTLEMEN,—Your memorialists, the Governor and Legislative Assembly of the Territory of Utah, beg leave respectfully to represent to your honorable body, that it is with no ordinary feelings of interest that we witness the progress of events, which appear probable to result in the construction of a railway across the Continent. It is not deemed necessary at this late day to urge the importance and necessity of this great work, nor even its practicability, for these are questions which the intelligence of the people and their representatives have freely and fully discussed, and happily disposed of by the action of Congress, in authorizing reconnoisances to ascertain the most practicable route. Hence our main object in this memorial is to give our candid views on what we deem the best route for the location of the first line of railroad from the Missouri river to the Pacific ocean; this we shall do from reliable information in our possession, and in the briefest manner that our judgment will admit, without entering into the detail of distances, elevations, and depressions, which can only be satisfactorily determined by the careful survey necessary to finally locate the route.

Without further preface, and with all due deference, in our judgment, the route in question should commence at Council Bluff City, keep up the main Platte to its South fork, and up the South fork to the proper point for diverging to the summit of the Black Hills, in the neighborhood of what is known as the Box Elder Pass; or commencing near the mouth of the Kansas, and keeping up that stream to the Republican fork, and up that to where you leave it to reach the same pass. A glance at the map will show the difference of distance between the Missouri river and said pass by the two named routes to be very trifling, and the grade would be equally low, and the amount of timber, grass, quality of soil, climate, and facilities for settlement are almost or entirely identical. The Box Elder Pass is

a wide, low depression in the Black Hills, with very gentle ascent and descent; from this point the route is across the southern portion of the level, well watered, and grassy Laramie's plains, to the Medicine Bow Bute; thence by gentle grade across the North fork of the Platte to a low, beautiful pass on the summit of the Rocky Mountains called Bridger's Pass. Here the route reaches the eastern out-crop of the rich and thick bituminous coal beds of the extensive region drained by the waters of Muddy and Bitter Creeks, where strong indications of rich iron ore beds were also noticed, and pursues its easy grade across Green river near the mouth of Henry's Fork, an affluent from the west, whose outlet is just above Brown's Hole; thence up Henry's Fork, and across Bear river and Weber river by its lower kanyon into Kamas Prairie, and down the Timpanogos or Provo river into Utah valley. From the mouth of the Kanyon of Provo river by the north end of Utah Lake to Walker's river Pass in the Sierra Nevada, the face of the country is nearly a dead level, with the exception of short isolated ranges of mountains, which could easily be turned, if any were found on the line. From all we can learn, Walker's River Pass is the most eligible in the Sierra Nevada, anywhere north of Walker's Pass, which is near latitude 35° , and of course much too far south. Between Walker's River Pass, and San Francisco, on a direct line, there is no unusual obstacle. The most casual inspection of any late map will demonstrate the route above indicated to be the shortest, most direct, and most central that can be located between the Missouri river and San Francisco, by way of any practicable mountain passes now known. From the Box Elder Pass to the rich valleys skirting the west base of the Wahsatch mountains, independent of the inexhaustible coal beds, and strongly indicated iron ores of Bitter creek, there are more favorable localities for settlements on and near the line indicated, than on any other between the same parallels of longitude, unless a route is made extremely crooked, and solely with a view to accommodate such locations.

The mouth of the Timpanogos or Provo kanyon opens immediately upon the eastern edge of Utah valley, and near Provo city, which will, ere long, be rich and powerful, through skill and labor, well applied to its abundant resources. This is the most eligible point for branching through a rich chain of fortunately located valleys to Oregon on the one hand, and San Diego on the other. From longitude $113^{\circ} 30'$ to the Sierra Nevada, there is but little chance for settlements, of much importance on any route.

Having thus briefly expressed our views upon this all-absorbing subject, we beg leave, with all deference, to express our firm conviction, that the desired action on this subject by your Honorable

Body, to render this a National work, is almost unanimously demanded by the whole country, and is entirely constitutional:—all of which is respectfully submitted.

Approved, Jan. 14th, 1854.

MEMORIAL TO CONGRESS,

For calling a Convention to form a State Government.

To the Honorable the Senate and House of Representatives, of the United States in Congress Assembled:

Your memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent that,

Whereas, our Territory is far remote from any other civilized portion of the American Union, surrounded by vast deserts or mountains, by which means nearly all communication with the national capital is cut off for many months in the year; and

Whereas our Territory is nearly doubling her population annually, leaving her at the present time but little, if any, behind the younger sisters of the Union in point of numbers, at the time of their admission into the Union as sovereign states:

Therefore, to lessen the foregoing difficulties—to advance the glorious principles of Republican institutions, or of self government, and as the surest and most permanent basis of true liberty; your Memorialists respectfully solicit your honorable body for the passage of an act authorizing the inhabitants of this Territory, to call a Convention to form a Constitution, and State Government, preparatory to taking her place beside her elder sisters in the Great Federal Union.

The early attention of Congress is earnestly solicited to this important subject, for which your Memorialists, as in duty bound, will ever pray.

Approved, Jan. 14th, 1854.

MEMORIAL TO CONGRESS,

For five thousand dollars for the University.

To the Honorable the Senate and House of Representatives of the United States in Congress Assmbled:

Your memorialists, the Governor and Legislative Assembly of the Territory of Utah, feeling a deep interest in the future welfare

of the Territory, and for the advancement of her sons and daughters in science and literature, respectfully ask your honorable body to appropriate the sum of five thousand dollars, to advance the interests of the University, established by law, in the City of Great Salt Lake; and that the said sum be applied to the above purpose, under such regulations as your honorable body may appoint.

Situated as we are, remote from the multiplied facilities for improvement possessed by the older States and Territories, and unable to avail ourselves of the advantages arising from the lease, or sale of certain sections of public lands, invariably appropriated for school purposes, from the fact that no land bill has yet been passed for Utah; we feel to urge our claims upon the generosity of your honorable body, with an assurance that they will meet with a response, generous on you part, and highly necessary and advantageous on ours; and your memorialists, as in duty bound, will ever pray.

Approved, Jan. 17th, 1854.

MEMORIAL TO CONGRESS.

To defray the expenses of the Indian wars, and the destruction and loss of property.

To the Honorable the Senate and House of Representatives of the United States in Congress Assembled:

We your memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent to your honorable body, that since the settlement of what is now the Territory of Utah, by your memorialists, frequent outrages and depredations have been, and continue to be committed, upon the persons and property of the citizens of this Territory, by various tribes inhabiting this Territory; and

Whereas, many of the settlements have been necessarily evacuated to preserve life, and our stock driven off in herds, at the defiance of their owners; and our houses, and mills, have been burned; and our harvest fields have been stripped of their crops: and

Whereas, we have been under the necessity of keeping up a strict military discipline, for the safety of our persons and property; and

Whereas, the Adjutant General has, and will make a full report, of all the expenditures, and losses of property incurred, through the Indian depredations in this Territory, to the War Department at Washington City; and

Whereas, it has heretofore invariably been the usage of Congress, to judiciously, and wisely appropriate the necessary means, for the relief of the citizens of other States and Territories, suffering like losses, when duly reported by the proper officers:—

Your Memorialists therefore pray your honorable body to call for said report or reports, and appropriate a sufficient sum, to pay the expenses and losses set forth in said report or reports, believing the same to be just and due to the citizens of this infant Territory; and your Memorialists, as in duty bound, will ever pray.

Approved, Jan. 17th, 1854.

MEMORIAL TO CONGRESS,

To establish necessary mail routes in the Territory of Utah.

To the Honorable the Senate and House of Representatives, of the United States in Congress Assembled:

Whereas, the people of the Territory of Utah, are not reasonably provided with mails, and we wish Congress to authorize sufficient mail routes in said Territory for the convenience of the people; and

Whereas, we deem it our privilege to have our citizens better supplied with those facilities for inter-communication with each other, and the other citizens of the vast republic in which we live; and

Whereas, at present we have only one mail from California, and the Missouri river, which purports to arrive and depart monthly, but which frequently fails to arrive even at these long intervals; and

Whereas, many parts and portions of this Territory have no mail routes, and are wholly dependent upon their own exertions to procure the mails in many places, having to travel from 25 to 150 miles to a post office:

Therefore, we the Governor and Legislative Assembly of the Territory of Utah, do hereby memorialize your honorable body, for an extension of mail routes and facilities as follows, to wit:

A semi-monthly mail from Independence, Mo., or Council Bluffs, Iowa, to Great Salt Lake City; also a weekly mail from Great Salt Lake City, via Taylorsville, West Jordan, Gardner's Mill, Bingham's kanyon, to Cedar valley; this section of the country contains nearly 1,000 inhabitants who are now destitute of mails. Also a weekly mail route from Great Salt Lake City to Iron county, a distance of 280 miles, via Provo, Springville, Nephi, Fill-

more, to Parowan, and Cedar cities, as at present there are no mails to Millard and Iron counties; also, an extension of the mail route from Ogden City to Youngsville in Weber county, a distance of 20 miles; also from Tooele City to Grantsville in Tooele county, distance ten miles; also a *side* mail on the Iron county route from Nephi City to *Manti*, via Denmark, San Pete county, distance 60 miles; also from Great Salt Lake City to Mountainville, via Neff's Mill, Mill creek, Holladay's settlement, Little Cottonwood, and Drapersville, distance 30 miles.

We memorialize your honorable body for the above-named routes to be granted, for there are nearly one-half of the inhabitants of this Territory without mails, or access to any post office without traveling from 25 to 150 miles as herein above-mentioned; and your Memorialists, as in duty bound, will ever pray.

Approved, Jan. 19th, 1854.

MEMORIAL TO CONGRESS,

For an appropriation for a State House.

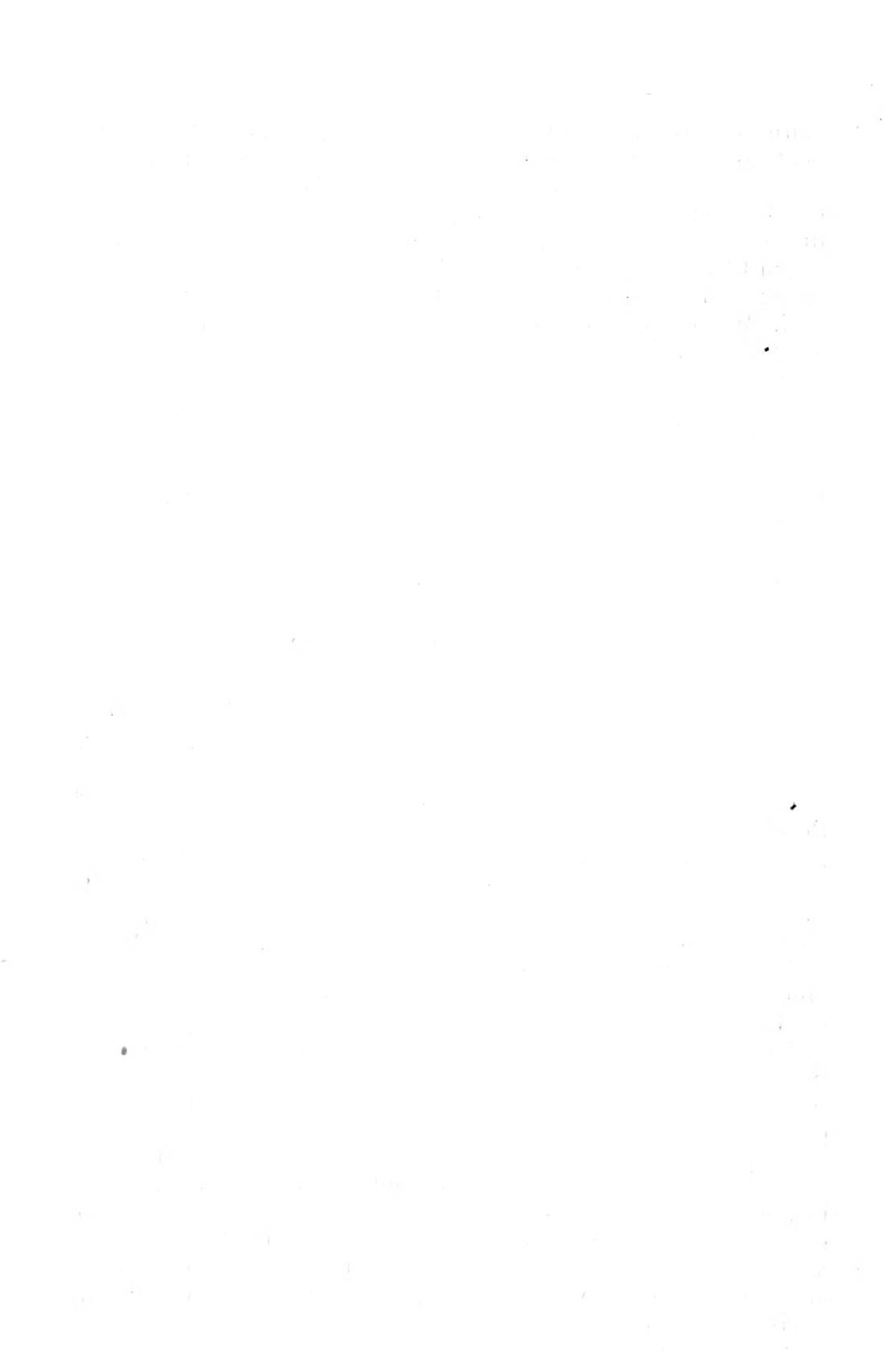
To the Honorable the Senate and House of Representatives of the United States in Congress Assembled;

Your memorialists, the Governor and Legislative Assembly of the Territory of Utah, respectfully represent, that, owing to the price of labor and building materials being from three to fifteen times higher here, than in most places in the States; and owing to the loss of the avails of much labor upon the State House at Fillmore City, the Capitol of this Territory, on account of Indian disturbances, upwards of \$11,000 have been expended upon said House, and with the best skill and management that could be allotted to the task, comparatively but little has been accomplished:

And we further represent, that the unexpended balance of the \$20,000 already appropriated, will fall far short of completing a building that would respectably accommodate your memorialists, or meet your designs, and kindly expectations:

We therefore most respectfully solicit your honorable body to give the above representation its candid weight, and to make a further appropriation of \$50,000, to enable your memorialists to complete a State House for Utah, that may at least respectably answer the end designed. And, as in duty bound, your memorialists will ever pray for your prosperity and welfare, while you devise liberal things.

Approved, Jan. 19th, 1854.



INDEX

TO THE LAWS, RESOLUTIONS, AND MEMORIALS, PASSED BY
THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH,
AT THE SESSION COMMENCING ON THE SECOND MONDAY
OF DECEMBER, 1853.

A.

	PAGE.	SEC.
Abscondent persons, property of, probate judge to take	25	1
Acts &c., to be in force from date of publication, -	22	
Animals brought into the Territory, owners must brand,	21	7
Appropriation for relief of John S. Tutt, -	5	
library and librarian, - - -	5	
premiums for raising flax and hemp, -	13	1
discovery of a coal mine near G. S. L. City, 15		1
adjutant general and others, - - -	17	
bill, general - - - -	26	
Arrest and summons, members of Legislature privileged from	17	1
Assessment of goods brought for sale, - - -	7	5
when to be taken, - - - -	7	6
Assessor and collector to give bonds &c., - - -	6	1
may require a person to report his own		
assessment, - - - -	8	9
duties of - - - -	9	8
to report to auditor of public accounts	9	11
empowered to sell property, -	10	13
may appoint a deputy, - - -	10	16
Auditor must keep account with assessor and collector,	10	12
appropriation for - - - -	17	
how elected, - - - - -	22	1

B.

Bear river ferry to be controled by Governor B. Young,	28	1
C.		
Carson county, boundaries of - - - -	19	1
Canal from Utah Lake to Great Salt Lake, - - -	23	1
Commissioners to locate canal, - - - -	23	2
receive and discharge subscriptions, -	23	1
County court to appoint assessor and collector, - - -	6	1
prescribe rate of county tax, - - - -	7	3
adjudge errors, compensation of ass'r &c.,	9	9
decide whose taxes shall be remitted, -	10	15

County court, special session to be called by probate judge,	11	21
regular sessions to be held quarterly,	26	
Green River, boundaries of	14	1
Summit, boundaries of	15	3
Davis, boundary of	15	4
clerks to furnish books for assessor and collector,	7	7
make copy of tax list for ass'r and coll'r,	9	10
keep accounts with assessor and collector,	10	12
list of delinquents,	12	21
Court, supreme, time of holding	13	5
district, when special sessions may be held,	13	7
Courts to be kept open at least one day,	13	6
Coal mine, reward for discovery of	15	1
D.		
Dam to be constructed on Jordon for canal,	23	3
Davis county, boundary of	15	4
Deceased persons, property of, to be taken by probate judge,	25	1
Delinquents, property of, may be sold by assessor and coll'r	10	13
Delinquencies to be paid by assessor and collector,	10	15
Deputy, assessor and collector may appoint a	10	16
District courts, when special sessions may be held,	13	7
E.		
Errors, complaints of, to be made to county court,	9	9
Extra revenue to be voted for by the people,	11	20
Executive may fill vacant Territorial offices,	22	2
F.		
False statement of taxable property, penalty for	11	18
Funds, surplus, to be paid into county treasury,	11	20
Flax seed, premiums for greatest amount of	14	2
Ferry, Bear river, to be controled by Governor B. Young,	28	1
G.		
Goods brought for sale, assessment of &c.,	7	5
Governor to appoint probate jude for Carson county,	19	2
may appoint commissioners for canal,	24	7
Green River county, boundaries of	14	1
representation for	22	
Great Salt Lake county, representation for	22	
H.		
Hemp lint, premium for raising	14	3
Herdsmen to give bonds,	20	1
responsible for animals,	21	4
Herdgrounds not to interfere with previous rights,	21	3
I. J.		
Improvements on herdgrounds may be sold,	21	5
Judicial districts, times of holding courts in	12	2
Judge, probate, to organize Green River county,	15	2
L.		
Language, construction of, before courts,	16	4
Laws, what, shall be cited before courts,	16	1
how they shall be construed,	16	3
and journals, printing and distribution of	18	1

Library, Territorial, appropriation for	- - -	5	
	M.		
Marks and brands, recorder of, to furnish printed sheets,	-	18	1
Memorial to congress in relation to Pacific railway,	-	30	
for calling a convention to form a state			
government, - - -		32	
for \$5,000 for the University, -		32	
to pay expenses of Indian wars &c.,	-	33	
to establish mail routes in Utah, -		34	
for an appropriation for State House, -		35	
	N.		
Navigation, right of water for, reserved	- - -	24	5
	O.		
Oaths may be administered by assessor and collector,	-	10	17
Officers elected by the Legislative Assembly,	- - -	22	1
	P.		
Penalty for false statement of property, - - -		11	18
Premiums for raising flax and hemp, - - -		13	1
Printing and distributing laws and journals, - - -		18	
Probate judge to call special session of county court, -		11	21
of Carson county to be appointed by the Gov'r, 19			2
to approve of bonds of sheriffs, - - -		20	2
grant license to herdsmen, - - -		20	1
take property of deceased persons, - - -		25	1
Property exempt from taxation, - - -		6	2
	R.		
Recorder of marks and brands, fee of - - -		18	2
Repeal of act in relation to assessing and collecting taxes,	-	12	22
supreme and district courts, 13			8
Weber and Bear river ferries, 29			3
Resolutions to be in force from date of publication, -		22	
Revenue, extra, to be voted for by the people, -		11	20
	S.		
Secretary to furnish laws and journals to officers, - - -		18	2
Sheriff to be elected in each county, - - -		19	1
give bonds, oath of office &c., - - -		20	2
may appoint a deputy, - - -		20	3
Special sessions of district court, when legal, - - -		13	7
Summit county, boundaries of - - -		15	3
Summons, members of Legislature privileged from - - -		17	1
Supreme court, times of holding - - -		13	5
Surveyor to make plot of herd grounds, - - -		21	2
	T.		
Taxation, property exempt from - - -		6	2
Tutt, John S., appropriation for relief of - - -		5	
Typographical errors, list of, to be printed, - - -		25	
	U.		
University, amendment to ordinance incorporating -		6	
	W.		
Weber river ferry to be controlled by Brigham Young, - - -		28	1
Words, how they shall be construed, - - -		16	4

INDEX

TO TITLES OF ACTS AND RESOLUTIONS.

	PAGE.
Act to amend ordinance incorporating the University, prescribing the manner of assessing and collecting taxes, relating to the United States courts, defining boundaries of Green River and Summit counties, containing provisions applicable to the laws of Utah, of appropriation to certain officers	6 6 12 14 16 17
to amend an act in relation to marks and brands, defining the boundaries of Carson county &c., relating to sheriffs and constables, regulating herdsmen, herding, herd grounds &c., prescribing the official terms of certain officers, specifying time when acts &c., begin to be in force, in relation to canal from Utah Lake to Great Salt Lake, providing for the management of certain property, prescribing the times for holding county courts, of general appropriation, concerning ferries and bridges on Weber and Bear rivers, Resolution appropriating money for expenses of Utah library	18 19 19 20 22 22 23 25 26 26 26 28 5
for the relief of John S. Tutt, to encourage the raising of flax and hemp, offering a reward for discovery of a coal bed, exempting members of Legislature from arrest &c., in relation to printing laws and journals, relating to representation of Green River and G. S. L. counties, concerning typographical errors in the laws of Utah,	5 13 15 17 18 22 25

W. H. G. & Co.
OF LIVERPOOL & CO.

